EXTENSIONS OF REMARKS

COMPTROLLER GENERAL DECISION LETTER B-277719

HON, DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. YOUNG of Alaska. Mr. Speaker, on August 20, 1997, the Comptroller General issued decision letter B–277719 concluding that section 108, of the paragraph entitled "General Provisions—Department of the Interior", Department of the Interior", Department of the Interior and Related Agencies Appropriations Act, 1997 is permanent law. Section 108 states that: "No final rule or regulation of any agency of the Federal Government pertaining to the recognition, management, or validity of a right-of-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act."

This letter was issued in response to a request by 30 Members of Congress and resolves the question of permanency of this im-

portant provision.

I ask that a copy of the letter dated July 29, 1997, requesting a decision from the Comptroller General on the permanence of section 108 and Decision Letter B–277719 be printed in the CONGRESSIONAL RECORD.

JULY 29, 1997.

JAMES F. HINCHMAN

Acting Comptroller General of the United States, General Accounting Office, Washington, DC.

DEAR MR. HINCHMAN: The Omnibus Consolidated Appropriations Act, 1997 (P.L. 104–208) contains the following section under the heading "General Provisions" in Title I—Department of the Interior: "Sec. 108. No final rule or regulation of any agency of the Federal Government pertaining to the recognition, management, or validity of a right-of-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act."

We emphatically believe that Section 108 was intended by Congress to be a provision of permanent law and we seek your expedited consideration of this question and a letter decision on the issue. Time is of the essence. Out of an excess of caution, several of the undersigned Members of the House urged inclusion of this language in H.R. 2107, the current Department of Interior and Related Agencies Appropriations bill, which will soon be considered by the Senate and possibly by a conference committee. We are concerned that re-enactment of this provision could inadvertently give rise to erroneous inference that Congress does not consider the provision permanent. 32 Comp. Gen. 11 (1952); 36 Comp. Gen. 434 (1956).

Please note that Sec. 108 contains the phrase "subsequent to the date of enactment of this Act" which clearly is intended to have effect beyond the fiscal year covered by the bill. Words substantially similar to this

phrase previously have been recognized as words of futurity. 65 Comp. Gen. 588 (1986). Any characterization of this phrase as only a modifier of the words "an Act of Congress" would reduce the phrase to mere surplusage because there is no Act of Congress enacted prior to or on the date of enactment of Sec. 108 that expressly authorizes regulations pursuant to R.S. 2477. Therefore, enactment of any such authorization is necessarily subsequent to the date of enactment of Sec. 108. The phrase is meaningless if it is interpreted solely as a temporal limitation on the three words immediately preceding it. "Constructions that do not give effect to all of the words of a statute must be avoided . . . "70 Comp. Gen. at 354 (citing 2 N. Singer, Sutherlands Statutory Construction §33.02 (4th ed. 1984)). Clearly, Sec. 108 contains sufficient words of futurity to indicate that it is a permanent law.

The legislative history of Sec. 108 and related predecessor provisions is both relevant and illuminating. 65 Comp. Gen. 588 (1986). The language that ultimately became Sec. 108 was taken intact from a legislative bill, S. 1425, as reported to the Senate by the Committee on Energy and Natural Resources on May 9, 1996. The language of S. 1425 was included in the Senate version of the FY 1997 Department of Interior and Related Agencies Appropriations bill at the request of the Chairman of the Committee on Energy and Natural Resources and the Ranking Republican Member of the Committee on Appropriations and its Subcommittee on Interior.

Also relevant is limitation of funds language concerning the same subject matter that was enacted for FY 1996 by the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (P.L. 104-135): "Sec. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes. Subsequently, the same limitation of funds language was included in H.R. 3662, the House version of the FY 1997 Department of the Interior and Related Agencies Appropriations bill, which passed the House on June 20, 1996. The conference committee considered the House's limitation of funds approach but ultimately adopted the Senate's permanent language taken from S 1425 for inclusion in P.L. 104-208. This clearly indicates that Congress considered and rejected a temporary provision in favor of a permanent one. 36 Comp. Gen. 434 (1956).

Another factor indicating that Sec. 108 is permanent law is the fact that it is contained in a paragraph under the heading "General Provisions, Department of the Interior" but applies by its own terms to "any agency of the Federal Government" As a factual matter, Sec. 108 applies to the Forest Service in the Department of Agriculture, which administers land subject to R.S. 2477 rights-of-way, and any other federal agency that administers reservations from the public lands, including the Department of Defense and the Department of Energy. The other 13 sections under the "General provisions, Department of the Interior" heading

apply exclusively to the Department of the Interior. Therefore, Sec. 108 is sufficiently unrelated to the title of the Act in which it appears to support the conclusion that was intended to be permanent. B-214058, February 1, 1984.

In conclusion, it is overwhelmingly clear from a plain reading of Sec. 108, the presence of words of futurity, its legislative history and the legislative history of related provisions, and its relationship to the rest of Act that this provision is permanent law.

We would greatly appreciate your immediate attention to this question and a reply at your earliest convenience.

Conrad Burns, Orrin Hatch, Robert F. Bennett, Larry E. Craig, Frank H. Murkowski, Ted Stevens, U.S. Senate.

Don Young, Bob Smith, James V. Hansen, Joe Skeen, Jerry Lewis, Bob Stump, Charles H. Taylor, Helen Chenoweth, Richard Pombo, John T. Doolittle, Barbara Cubin, George P. Radanovich, Doc Hastings, Wally Herger, Randy "Duke" Cunningham, Bob Schaffer, Ron Packard, Jim Kolbe, Jim Gibbons, J. D. Hayworth, Michael D. Crapo, George R. Nethercutt, Jr., John E. Ensign, Chris Cannon, House of Representatives.

GENERAL ACCOUNTING OFFICE, OFFICE OF THE GENERAL COUNSEL,

Washington, DC, August 20, 1997. CONGRESSIONAL REQUESTERS: This responds to your July 29, 1997, letter asking whether section 108 of the Department of the Interior and Related Agencies Appropriations Act, 1997, is permanent law or expires at the end of fiscal year 1992.1 Section 108 of the Interior Appropriations Act states that: "No final rule or regulation of any agency of the Federal Government pertaining to the recognition, management, or validity of a rightof-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act." 110 Stat. 3009-200. For the reasons discussed below, we believe section 108 is permanent

DISCUSSION

Since an appropriation act is made for a particular fiscal year, the starting presumption is that everything contained in the act is effective only for the year covered. 31 U.S.C. §10301(c)(2)(1994). For this reason, a provision in an appropriation act will be considered to be permanent only if the statutory language or the nature of the provision makes it clear that Congress intended the provision to be permanent. 65 Comp. Gen. 588, 589 (1986).

Permanency is indicated most clearly when the provision in the appropriation act uses words of futurity. While "hereafter" is a common "word of futurity," we have afforded language such as "after the date of approval of this act" the same treatment. E.g., 36 Comp. Gen. 434, 436 (1956). The language "subsequent to the date of enactment of this Act" found in section 108 of the fiscal

Footnotes are at the end of the letter.

year 1997 Interior Appropriations Act is of the same character.

The precise location of the words of futurity can be important and can determine whether or not a provision is permanent. Cf. B-228838, Sept. 16, 1987 (words of futurity in a proviso of a section did not make the entire section permanent). In the case of section 108, the location of the phrase "subsequent to the date of enactment of this Act" presents two possible interpretations. On the one hand, "subsequent to the date of enactment of this Act" could apply only to the immediately preceding phrase "Act of Congress" and thereby describe only the period of enactment for the authorizing "Act of Congress" that must occur for an agency rule or regulation on R.S. 2477 rights-of-way to take effect. Under this reading, the phrase "subsequent to the date of enactment" means that the agency rule can become effective only if it is expressly authorized by a new, not a previous, Act of Congress. This limitation on agency rulemaking would expire at the end of fiscal year 1997.

Alternatively, "subsequent to the date of enactment of this Act" could apply to all of section 108 and thereby describe the time period applicable to the limitation on agency rulemaking on R.S. 2477 rights-of-way. Under this reading, the phrase "subsequent to the date of enactment of this Act" means that the requirement for an express authorization by an Act of Congress before the agency rule can become effective is a permanent requirement beginning with the enactment of the fiscal year 1997 appropriation. We believe the latter interpretation is the meaning best ascribed to section 108 based on its legislative history and purpose.

Language similar to that found in section 108 first appeared as section 349(a)(1) of the National Highway System Designation Act of 1995, Pub. L. No. 104-59, 109 Stat. 568, 617-618 (1995). Section 349(a)(1) states:

"(a) MORATORIUM .-

"(1) IN GENERAL.-Notwithstanding any other provision of law, no agency of the Federal Government may take any action to prepare, promulgate, or implement any rule or regulation addressing rights-of-way authorized pursuant to section 2477 of the Revised Statutes (43 U.S.C. 932), as such section was in effect before October 21, 1976.'

As indicated by the heading of subsection (a) of section 349, paragraph (1) was a moratorium on agency actions on rules and regulations regarding R.S. 2477 rights-of-way. Paragraph (2) provided that the moratorium would be effective through September 30, 1996. The purpose of the moratorium was to delay regulations proposed by the Secretary of the Interior so that the Congress and the states could address concerns over proposed changes to the process for recognizing state and local government claims for rights-ofway across federal lands granted pursuant to R.S. 2477. 141 Cong. Rec. S8924-8925 (daily ed. June 22, 1995) (statements of Sens. Stevens and Murkowski).

Before the moratorium expired, the Senate Committee on Energy and Natural Resources considered S. 1425, a bill to "recognize the validity of rights-of-way granted under section 2477 of the Revised Statutes, and for other purposes." The bill, as reported from the Committee on May 9, 1996, consisted entirely of the language now found at section 108 of the fiscal year 1997 Interior Appropriations Act. The purpose of S. 1425 was to allow the Department of the Interior to develop new regulations while prohibiting their implementation until expressly approved by an Act of Congress. S. Rep. No. 104-261, at 2

(1996). There is no question that if it had been enacted into law, S. 1425 would have continued indefinitely the restriction against agency rules or regulations on R.S. 2477 rights-of-way becoming effective without an authorizing Act of Congress. See, id., at 3-4 (Letter from June E. O'Neill, Director, Congressional Budget Office, dated May 8, 1996). While no further action was taken on S. 1425, its language ultimately became section 108 of the fiscal year 1997 Interior Appropriations Act.

A little more than a month after the Senate Committee on Energy and Natural Resources reported S. 1425, the House of Representatives passed H.R. 3662, the Department of the Interior and Related Agencies Appropriations Bill, 1997, Section 109 of H.R. 3662 stated that "None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning right-of-way under section

2477 of the Revised Statutes.

This language was identical to language in the fiscal year 1996 appropriation act enacted two months before. See note 2 above. When the Senate Committee on Appropriations reported its version of the appropriations bill, it deleted the House language and substituted the language of S. 1425, stating that it was "identical to the bipartisan proposal reported by the Senate Energy and Natural Resources Committee (Senate bill [sic])." S. Rep. No. 104-319, at 56 (1996). This is the language ultimately enacted as section 108 of the fiscal year 1997 Interior Appropriations Act as contained in Pub. L. No.

This history strongly supports the conclusion that Congress intended section 108 to be permanent, Section 108 was lifted verbatim from a bill that by virtue of its language and its character as general legislation would, if enacted, have continued indefinitely the restriction on implementing rules on R.S. 2477 rights-of-way. Also, the Senate and ultimately the Congress substituted the language of S. 1425 for the language of H.R. 3662, which like the identical language of Pub. L. No. 140-134 for fiscal year 1996, was clearly applicable only for a fiscal year. In revealing the origin of section 108, the applicable discussion in S. Rep. No. 104-319 and H. Conf. Rep. No. 104-863 contains nothing to suggest that Congress intended for the effect of the language from S. 1425, i.e., an indefinite restriction, to be different when included in the appropriation act.

Other reasons support the conclusion that the Congress intended section 108 to be permanent legislation. The language of section 108 is not a restriction on the use of appropriations. It is a substantive provision addressing when certain agency rules or regulations can take effect. Its language standing alone is permanent in nature. 36 Comp. Gen. at 436. Also, no real effect would be given to the phrase "subsequent to the date of enactment of this Act" if it were interpreted to only describe the time period when an authorizing "Act of Congress" must occur before an agency rule becomes effective. Section 108 could not have been designed to vitiate a prior Act of Congress expressly authorizing final agency rules or regulations on R.S. 2477 rights-of-way for the simple reason that there was and is none. Accordingly, any Act of Congress expressly authorizing a final rule or regulation on R.S. 2477 rights-of-way would be one enacted after enactment of the fiscal year 1997 Interior Appropriations Act. For the phrase "subsequent to the date of enactment of this Act" to have any effect, it must mean that the section 108 restriction on when a rule or regulation on R.S. 2477 rights-of-way takes effect is permanent law beginning with the date of enactment of the fiscal year 1997 Interior Appropriations Act.

the reasons discussed above, we conclude that section 108 is permanent law. I trust the foregoing will be of assistance.

Sincerely yours,

ROBERT P. MURPHY. General Counsel.

FOOTNOTES

¹The Department of the Interior and Related Agencies Appropriations Act, 1997, is contained in section 101(d) of the Omnibus Consolidated Appropriations Act, 1997, Pub. L. No. 104-208, 110 Stat. 3009, 3009-181(1996)

²Section 8 of the Mining Act of 1866 stated that 'the right of way for the construction of highways over public lands, not reserved for public uses is hereby granted." That section was codified as section 2477 of the Revised Statutes, and has been com-monly referred to since then as "R.S. 2477." Section 706 of the Federal Land Policy and Management Act of 1976 (FLPMA), Pub. L. No. 94-579, 90 Stat. 2793, repealed R.S. 2477 but section 701 provided that FLPMA did not terminate any land use, including rights-of-way, existing on October 21, 1976. FLPMA did not provide a time limitation on filing claims for pre-1976 rights-of-way. The rules and regulations that are the subject of section 108 are proposals to change how R.S. 2477 claims are processed.

³Your letter refers to another restriction running through fiscal year 1996. Section 110 of the Department of the Interior and Related Agencies Appropriations Act, 1996, as contained in section 101(c) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Pub. L. No. 104-134, 110 Stat. 1321, 1321-156, provided that none of the funds appropriated or otherwise made available by the Act could be used by the Secretary of the Interior to develop, promulgate, and implement a rule concerning R.S. 2477 rights-of-way. 110 Stat. 1321-177. This provision was in H.R. 1977, the Department of Interior and Related Agencies Appropriations Bill, 1996, when it was reported from the House Committee on Appropriations on June 30, 1995. It remained intact through the enactment of Pub. L. No. 104-134 on April 26, 1996, and is narrower in scope than the moratorium enacted by section 349 of Pub. L. No. 104-59 five months earlier.

⁴The provision for the moratorium was added to the Senate bill as a floor amendment and had a December 1, 1995 expiration date. The conference committee adopted the moratorium contained in the Senate bill and extended its application through the end of fiscal year 1996. H. Rep. Conf. Rep. No. 104-345 at 108 (Nov. 15, 1995), reprinted in 1995 U.S.C.C.A.N.

TRIBUTE TO DURHAM MANUFACTURING CO.

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Ms. DELAURO. Mr. Speaker, on Saturday, September 13, 1997, the Durham Manufacturing Co. in Durham, CT will be celebrating its 75th anniversary. It gives me great pleasure to rise today to congratulate Durham Man-

ufacturing on this milestone.

There have been so many changes in the way companies and corporations function in the past several decades. For many Americans, company loyalty is a thing of the past and so many workers feel isolated on the job. Durham Manufacturing is an example of a small company that has not abandoned its workers in pursuit of a more profitable bottomline. Indeed, Durham has managed to stay competitive, and even flourish, all while ensuring that employees are treated fairly.

The history of Durham Manufacturing is the classic manufacturing success story of a small company, turning out a quality product and creating a niche for itself in the market. Situated in the predominantly rural town of Durham, Durham Manufacturing was established in 1922. The company specialized in the manufacture of tin coated iron cash boxes. Over the years, the company made changes in its product line to reflect the needs of the market. The products made at Durham Manufacturing expanded and the means of production varied.

As the needs of the country changed, Durham adapted to meet them. During World War II, Durham was the Army's largest supplier of metal first aid boxes. After the war, Durham's focus turned toward developing proprietary product lines. Today, Durham produces a top quality line of first aid boxes, storage cabinets and bins and office products.

However notable Durham Manufacturing's products are, what is more important is the feeling of family and community fostered by the company. Durham is as dedicated to its employees as it is to its customers. As a result, several members of families work together at Durham and in some cases generations of families have been employed there.

This kind of company loyalty has helped keep Durham successful. As everyone gathers to celebrate the 75th anniversary, Durham is a leader in the metal packaging industry.

I am very pleased to congratulate Durham on its 75th anniversary and I am hopeful that there will be many more.

NAFTA PARITY FOR U.S. WOOL APPAREL INDUSTRY

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. LAFALCE. Mr. Speaker, today, I am introducing legislation that will redress a wrong inflicted on an important segment of the U.S. textile and apparel industry during NAFTA negotiations. I believe it is important for the credibility of NAFTA to correct a serious flaw in this agreement that has adversely and unfairly affected U.S. textile and apparel producers.

During NAFTA negotiations with Canada, changes were made in the original United States-Canada Free Trade Agreement [CFTA] with respect to imports of men's and boys' wool suits, jackets and slacks—changes which both injure United States manufacturers in this sector and give no avenue for relief from this injury. My legislation will correct this mistake and return to provisions that were originally in the CFTA.

When the United States and Canada negotiated the textile and apparel provisions of the CFTA, special duty allowances were made for tailored men's and boys' wool apparel made from foreign fabric, that is, fabric not produced in either the United States or Canada. According to CFTA rules of origin, wool apparel could qualify for CFTA tariffs only if both the apparel and fabric originated in Canada or the United States. Because Canada claimed a shortage of wool fabric, a temporary Tariff Preference

Level [TPL] was established for this category of imported apparel for items made from textiles that were not available in either the United States or Canada—hence, the special treatment for wool apparel made from non-United States or Canadian textiles.

At the time, Canadian manufacturers of tailored wool apparel constituted only a small portion of the Canadian apparel industry, and the TPL was intended only to ensure that they had an adequate supply of wool fabric. Moreover, Canadian negotiators refused to set sublimits for categories of wool apparel in response to United States concerns about concentration of products. Canada explicitly assured the United States that it would never allow targeting of products, and Canada would continue shipping a wide range of products. The CFTA mandated renegotiation of the Tariff Preference Level by January 1, 1998, according to changing conditions and circumstances of the market.

During NAFTA negotiations, textiles and apparel issues with Canada remained unresolved until the end of negotiations in August 1992, even though agreement with Mexico had been reached 4 months earlier. A deal was struck at the last minute that would have a major impact on U.S. industry. First, preference levels increased slightly, but a sublimit for wool suits was set at 99 percent of the TPL and effectively was not a sublimit.

Second, the CFTA monitoring and renegotiation requirements were dropped that would have made adjustments to "reflect current conditions in the textile and apparel industries." Indeed, the Office of the U.S. Trade Representative has said that NAFTA negotiations constituted a fulfillment of the CFTA mandate.

The result of this retention of Tariff Preference Levels—and indeed the increase of levels rather than a lowering—has resulted in an unacceptable surge in imports of this product from Canada. United States industry believes this provision has been used by Canadian producers for "wholesale circumvention of the rule of origin"—and the rule of origin is the foundation of a free trade agreement. The legislation I am introducing today would restore the mandate to monitor and renegotiate the schedule of Tariff Preference Levels by January 1, 1998.

Since 1988, the surge of tailored wool apparel imports from Canada has devastated the United States industry. U.S. production of men's and boys' wool suits has dropped more than 40 percent, and employment has fallen almost 50 percent. At the time of CFTA negotiations, United States industry voiced concern about establishing Tariff Preference Levels for goods made from nonoriginating fabric, but Canada assured United States negotiators that preexisting trade patterns would not be altered. Clearly, this has not happened.

Yet, U.S. industry does not normal access to safeguard actions as provided in other sections of NAFTA which would allow it to petition the U.S. Government for temporary relief from injurious imports. Instead, the wool apparel industry was excluded from NAFTA safeguard action because CFTA provisions were retained instead that reserved the Parties rights under GATT—but did not address quantitative restrictions. This reliance on GATT—now the

WTO—only for the U.S. textile and apparel industry in turn imposes limitations on the use of safeguards because of U.S. legislation recognizing the phasehout of the Multifiber Agreement. The effect gives the U.S. wool apparel industry no recourse to safeguard action—a situation that no U.S. trade agreement has allowed in the past.

Even more glaring in the NAFTA is the specific omission of allowed consultations between the United States and Canada for surges of United States imports for wool products entering the United States under quantitative restrictions. The legislation I am introducing would allow the U.S. industry for tailored wool apparel to have normal access to safeguard provisions under the NAFTA.

Mr. Speaker, I believe Congress must take corrective action when it becomes aware that a major piece of legislation unfairly excludes and injures a sector of U.S. industry, especially when this effect was not intended. We owe it to U.S. workers in the tailored wool apparel sector to restore legislation to its original intent and to provide for a normal avenue under U.S. trade law to redress injury from imports.

The text of the bill follows:

H.R. -

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENEGOTIATION OF QUANTITIES OF WOOL ARTICLES ELIGIBLE FOR TAR-IFF PREFERENCE LEVELS.

By not later than January 1, 1998, the President shall take the necessary steps to renegotiate with Canada the annual quantity limitations of tailored wool apparel assembled in Canada from fabric or yarn produced or obtained in a country other than a NAFTA country, that is eligible for preferential tariff treatment under Appendix 6.B.1 to Annex 300-B of the NAFTA, to reflect current conditions in the wool textile and apparel industry located in Canada and the United States, including the ability of tailored wool apparel producers to obtain supplies of wool fabric within the territories of Canada and the United States.

SEC. 2. AVAILABILITY OF SAFEGUARD PROCE-DURES.

For purposes of part 1 of subtitle A of title III of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3351) and following)—

(1) the term "Canadian article" shall be deemed to include tailored wool apparel assembled in Canada from fabric or yarn produced or obtained in a country other than a NAFTA country, that is eligible for preferential tariff treatment under Appendix 6.B.1 to Annex 300-B of the NAFTA; and

(2) subsection (d)(2) of section 302 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3352(d)(2)) shall not apply to articles described in paragraph

SEC. 3. DEFINITIONS.

As used in this Act-

(1) the term "NAFTA" means the North American Free Trade Agreement approved by the Congress under section 101(a) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3311(a)); and

(2) the term "NAFTA country" has the meaning given that term in section 2(4) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3301(2)).

A TRIBUTE TO THE AMERICAN YOUTH SOCCER ORGANIZATION

HON, BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. SHERMAN. Mr. Speaker, I rise today to commend the American Youth Soccer program for its contributions toward promoting athletic activities among children in our community. It is a great honor to rise on behalf of all of those involved in youth soccer.

all of those involved in youth soccer.

The American Youth Soccer Organization is an extremely important nonprofit corporation dedicated to promoting youth soccer in our community. This soccer program keeps our children, and puts our children's minds and bodies to work. Both our community and our children's minds and minds a

dren profit from this league.

I believe the American Youth Soccer Organization's motto "everyone plays" describes the nurturing environment that this organization strives to provide our children on the soccer field. I am proud to represent and honor an organization that encourages all of our youth to play soccer no matter what abilities they possess.

Finally, the success of the American Youth Soccer Organization would not be possible without its wonderful volunteers. I commend the patience and dedication of all of those who are involved as players, coaches, referees,

and spectators.

Mr. Speaker, I ask you and my distinguished colleagues to join me in recognizing the contributions the American Youth Soccer Organization has made to our community. The American Youth Soccer Organization serves as an example for other youth soccer leagues across our Nation.

SARAH GEVING: A STORY OF WORK, FAMILY, AND PERSONAL RESPONSIBILITY

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. CUNNINGHAM. Mr. Speaker, Sarah Geving, a constituent of California's 51st Congressional District, has written a personal account about growing up on welfare. Her reallife story shows how the old welfare system encouraged complacency, bred hopelessness, and trapped many families in a cycle of welfare dependency. Sarah's experience taught her that the best way to break free of the welfare trap was not to give people a handout, but to give them a hand up.

Our new welfare reform law does that. It encourages work, family, and personal responsibility, giving people hope and a better chance at the American dream. I am proud to have played a part in reforming the failed welfare system and to share Sarah's story with my colleagues by entering it into the permanent RECORD of the Congress of the United States:

An American Success Story (By Sarah Geving)

My parents got divorced when I was four years old and we went on welfare shortly after that. We were on welfare for the next eight years. Why did we continue to receive hand-outs from the government for nearly a decade? Because the government kept sending them. Was my mom physically disabled during this time? No, or she would have been on physician ordered "disability." And long-term disability at that! The U.S. government enabled my mother to stay home for eight years.

My mom dropped out of high school in the eleventh grade. Do you think that during the years the government "helped" to take care of us, they encouraged my mom to go back and get her G.E.D.? No. Did they encourage her to attend technical schools so that she would be prepared to enter the job market? No. They should have at least required her to go back and finish high school or get her G.E.D.

When my mom decided to get a job, of course she was totally unprepared in terms of skills, so she had to take a minimum wage job. With welfare reform, we must teach people to progress. Education should be encouraged so that families are not struggling for food as we were. This does not mean that I think we should be working to raise minimum wage. I do not. We should be encouraging work, education, and the spirit of volunteerism. Since my family was so poor even when my mom went back to work, we relied on church donations, donations from anonymous people, and when all else failed, we stood in line for food. As demeaning as this was, we did eat. Americans are generous and the private sector will help with welfare reform. If we encourage hard work and education, children will not have to grow up feeling ashamed like I did. Families who are experiencing hard times and are struggling for food need to be counseled to make better choices. Volunteers should not only help provide food, but they should also help people make better choices. Better choices means that poverty will be temporary, not generational.

When I stood in line for food it was hurtful emotionally. I was embarrassed. I didn't want my friends at school to know about my true private life. I spent years feeling ashamed. One thing that did help was having a "Big Brother". A friend of a friend wanted to volunteer as a big brother. Instead of going through an agency and being hooked up with a young boy, this mutual friend hooked him up with me. He was a good example for me because he worked for a living and he gave me advice about college. He treated me like I was a person. My home life was not good and it was helpful to spend time with someone stable once in awhile. We must encourage "big brothers" and "big sisters"

My mom had a lot of problems and often could not take care of us. She could have given us over to the State for awhile. She needed foster homes for us. Instead, her church found temporary homes for us until my mom could take us back. My sister and I think we lived in at least nine different homes. If we had been in State foster care, we probably would not have been able to stay in the same part of town and the same school district. Since stability was always lacking, at least we could stay in the same school. Once again, this illustrates the importance of individuals and the idea of volunteerism.

If I had gotten pregnant at 17 or 18, the government would have been willing to support me and how ever many children I may have had. I was definitely an "at risk" child. I believe that one of the things that saved

me was help from people—not the government, but individual people.

Private enterprise, individual people, and volunteerism will be crucial in implementing welfare reform. Ending welfare as an entitlement program will give everyone hope, espe-

cially children like I once was.

I knew that I needed to go to college. When I was growing up, I worked hard at school. I studied for and took the S.A.T. tests. One thing that I did not plan for was the college application fee. I remember going to see my high school counselor during my senior year of high school. He had often helped me with questions I had about college. I told him, Well, it looks like I can't go to USD or any other 4 year college like I had planned. We'll have to talk about community colleges or something else." He said, "What changed your mind?" I told him that I had filled out my application and that at the bottom of the application, there was a statement advising applicants that the application fee was \$25.00. There was no way I could come up with that. He didn't say much, but asked me to come back the next day to discuss it further. I did. When I showed up for the appointment, he handed me an envelope and told me to go home and send in my application. After leaving his office, I opened the envelope to see what was inside, and there was \$25.00 cash. I didn't think too much about it at the time, although I was thankful. Now that I am older, that incident keeps coming back

At the time, I guess I assumed that money came out of some school fund. Looking back on it, I think it probably came from his own pocket. On my current list of "things to do" is to hunt him down and pay him back. He would probably be happy to know that I did go to and graduate from college. This is a great example of people helping people. This is what welfare reform is all about.

As a society, it is our duty to teach people to take care of themselves. The government should not do for individuals what they are capable of doing for themselves. When the founders of our country first came to America, they came knowing they would work hard. We need to return to those values.

I have learned this. If you remain fixed in purpose, and strive to achieve your goals, you will succeed in this country. We live in a great country. If I had been born in India and into the caste system, I would still be poor today. If I had been born in a Thirdworld country, such as Panama or Mexico, I would still be poor today. This country was founded on the principles of hard work. Hard work made this country great. This is the land of opportunity.

land of opportunity.

Thank you to the elected officials who voted for welfare reform. Thank you to the elected officials who want to return this country back to the idea of smaller government and more personal responsibility.

CONGRATULATIONS TO LOCAL 210 AND JOHN CUNNINGHAM

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Ms. DELAURO. Mr. Speaker, on October 4, 1997, the United Brotherhood of Carpenters and Joiners of American Local 210 will be celebrating its Diamond Anniversary and also recognizing John Cunningham who has recently retired as president of the New England

EXTENSIONS OF REMARKS

District Council of Carpenters and president/ general agent of Local 210. I am very pleased to rise today to congratulate Local 210 for reaching this extraordinary milestone and to offer my warmest congratulations to John on the occasion of his retirement after 41 years of leadership.

John is a wonderful friend of mine and I am delighted to have an opportunity to speak about his extraordinary record of accomplishments. John has overseen a number of new programs and policies during his tenure with Local 210. All these programs demonstrate his unwavering commitment to the welfare of workers. Beginning in 1968, Local 210 kicked off the very first apprentice program in all of New England. Today, that program is based in Norwalk with 125 active trainees. John's focus has always been on helping others, not only workers but also their families.

To this end, John oversaw the creation of a credit union to give members access to lowcost loans and a scholarship fund to make college money available to children of union members. However, the best example of John's exceptional commitment to members is his actions after the 1987 collapse of the L'Ambiance construction site in Bridgeport. Local 210 became the focal point of the National Building Trades Council effort to help the family members of those workers killed in the collapse. Under John's leadership, Local 210 raised more than \$300,000 for the families. I am sure that many people are very grateful to John and Local 210 for spearheading this effort and for making this issue a priority for everyone.

John Cunningham's lasting legacy, however, is his deeply held belief in the importance of unions and the need for organized labor. He recognizes that it is only by sticking together that labor has been able to achieve all the reforms and benefits that have made the workplace safe and secure for workers and their families. Unions are as relevant and important today as they were when workers first began to organize in this country. It is the work and commitment of leaders like John Cunningham and organizations like Local 210 that keeps us all vigilant and dedicated to the continued improvement of the lives and working conditions

of laborers in this country.

Again, it is my great pleasure to rise today to congratulate Local 210 on its 100th anniversary and to thank John Cunningham for 41 years of dedication and leadership.

CONGRATULATIONS TO SHELLY MOORE, MISS TEEN USA

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. DUNCAN. Mr. Speaker, I am proud that a fine young woman from my district, Shelly Moore, has been chosen Miss Teen USA. This is a tremendous accomplishment and I want to congratulate Ms. Moore and wish her the very best as she serves as the main representative for young people all over the Na-

I would like to call to the attention of my colleagues and other readers of the CONGRES- SIONAL RECORD an article and editorial from the Knoxville News Sentinel.

[From the Knoxville News Sentinel, Aug. 22, 19971

NEW MISS TEEN USA WANTS TO USE TITLE TO BE STRONG ROLE MODEL

(By Nicole Pascoe)

Knox County teenager Shelly Moore said Thursday she is still on cloud nine after winning the 15th annual Miss Teen USA pageant, held at South Padre Island, Texas.

The 1997 South-Doyle graduate, daughter of Garland and Tammy Rhoden, was crowned Wednesday night and is taking home about \$150,000 in cash and prizes.

Moore, interviewed by phone while packing

to return to Knoxville, said the experience was both exciting and unforgettable. 'It was a wonderful experience. I still can't

believe I'm Miss Teen USA," she said. "I was just an average girl vesterday, and in my mind I still am, but it's very exciting. Moore, 18, said as part of her title she will

do a good deal of public speaking and traveling, mainly back and forth to Los Angeles. 'I just want to be a good role model," said Moore.

JoAnna Lochen, Moore's cheerleading coach and a home economics teacher at South-Doyle, thinks Moore will have no trouble upholding her title.

'She's steps above anybody and she's a real strong leader. She has a very strong moral upbringing and belief in God," she said

Lochen said she wasn't surprised that Moore was crowned Miss Teen USA, "She is who she says she is. She looks as beautiful in sweats with her hair pulled back as she did at the pageant," said Lochen.

Moore entered her first pageant one year

ago. She claimed the title of Miss North Tennessee, and that led her to the state pageant.

in which she also placed first.

Moore plans to enter the University of Tennessee for the second semester and will major in broadcasting. When asked at the pageant whom she would like to interview. she replied former University of Florida quarterback Danny Wuerffel, last year's Heisman trophy winner and now a backup quarterback with the New Orleans Saints.

[From the Knoxville News Sentinel, Aug. 25, 19971

STAYING ON CLOUD NINE

KNOXVILLE GIRL CAPTURES A NATIONAL TITLE, MISS TEEN USA CONTEST

Shelly Moore may never descend from cloud nine-and that's OK with us.

Moore, a 1997 graduate of South-Doyle High School and soon-to-be freshman at the University of Tennessee, won the 15th annual Miss Teen USA pageant held at South Padre Island, Texas. She is the daughter of Garland and Tammy Rhoden.

The experience was as exciting as it was unforgettable. "I was just an average girl yesterday," she said in an interview after she was crowned Wednesday, "and in my mind I still am, but it's very exciting.

The 18-year-old said she will be speaking and traveling a great deal as part of her title. She plans to enter UT for the second semester and will major in broadcasting. As Miss Teen USA, she will take home about \$150,000 in cash and prizes.

Moore entered her first pageant a year ago, claiming the title of Miss North Tennessee. That crown led to the state pageant, which she also won.

Her goal is to be a good role model. No problem there, say those who know her.

"She steps above anybody, and she's a real strong leader," says JoAnna Lochen, Moore's cheerleading coach and a home economics teacher at South-Doyle. "She has a very strong moral upbringing and belief in God.

Lochen also said she wasn't surprised that Moore was crowned Miss Teen USA. "She is who she says she is," Lochen said. "She looks as beautiful in sweats with her hair pulled back as she did at the pageant.'

We hope the euphoria Shelly Moore is feeling right now never wears off. We offer our congratulations on winning the title and wish her all the best in the exciting year

ahead

TRIBUTE TO TOM KINARD

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a man who has been a strong voice in his community for years. Tom Kinard. It is my pleasure to recognize Mr. Kinard today as he celebrates 10 years of broadcasting his show, Kinard n' Koffee, on WJMX-AM in Florence, SC. I have had the pleasure of being one of his guests on several occasions, and I join with all of his listeners in congratulating him for 10 years of outstanding broadcasts.

During the 10 years that Kinard n' Koffee has been broadcast. Mr. Kinard has received numerous awards for his unique style and commitment to his community. Among his accomplishments are six-time South Carolina Radio Personality of the Year, five-time National Association of Broadcasters Marconi Finalist for Medium Market Radio Personality, and South Carolina Music and Entertainment Commission Personality of the Year. Mr. Kinard has also received the South Carolina Broadcaster's Association's highest honors for public service with The Richard M. Uray Public Service Award for Outstanding Service to the Community and the highest honor an on-air broadcaster can receive as recipient of the 1996 Master's Award. Among his numerous other awards, Mr. Kinard has been awarded the prestigious Order of the Palmetto, the State of South Carolina's highest honor.

Mr. Kinard's service to his community goes far beyond the radio show that so many hear every morning. He worked with numerous civic groups to aid local charities and promote education. Last winter, Mr. Kinard organized the Kinard-n-Koat drive to collect over 2,000 much needed coats for children and adults in the community. He had listeners send in over 100,000 Christmas cards through Kinard-N-Kristmas Kards for children in local hospitals. and he asked the community to help the soldiers of Desert Storm enjoy a small treat when over 5,000 gallons of Kool-Aid were sent to the Middle East. Mr. Kinard has also spread the holiday message to thousands in the southeast each year with his narrative presentation of "The Other Wise Man" He has given 30-40 presentations a year since 1976.

Mr. Speaker, I ask that the Members of the House of Representatives join me in saluting Mr. Kinard who is not only a powerful radio voice in South Carolina, but a dedicated citizen in his community. I congratulate him on

10 years of Kinard n' Koffee and wish him Godspeed in his future endeavors.

WELFARE REFORM IS WORKING

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. PACKARD. Mr. Speaker, in 1996, more than 1.3 million people left the welfare rolls. And more than 650,000 of those left in just the last 4 months of the year—following the enactment of the Personal Responsibility and Work Opportunity Act. This is truly a success. Former welfare recipients across the Nation, from San Diego to Atlanta to Boston, have touted our welfare reform bill as the best thing that ever could have happened to them. One former recipient even said, "My life is so much better. I feel better about myself." Another said, "This is the best thing I ever could've done for myself."

We are now witnessing the most dramatic decline in welfare caseloads in the 60-year history of welfare as a result of our efforts to change the mind-set surrounding welfare and to give States more flexibility to design their own programs. But to give credit where credit is due, States and communities across the country are well ahead of Washington. This is where the success stories are being created. And this is where the shift in attitude is taking place on a daily basis.

Mr. Speaker, as our Nation moves away from the failed welfare policies of the past, the role of Washington must be to give States the power and resources to begin moving people into self-sufficiency. We must encourage, promote and empower neighbors, charities, churches, small businesses, and community organizations to be more active in rebuilding strong communities.

Welfare offices now judge their success not by how many people are on welfare, but by the number of people they have moved off welfare into a life of dignity and independence. The focus is now on helping families out of poverty, not keeping them in it. I'd say it's obvious that welfare reform really is working.

TRIBUTE TO JULIA MCNAMARA

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Ms. DELAURO. Mr. Speaker, on September 25, the New Haven Colony Historical Society will present Dr. Julia McNamara with the prestigious Seal of the City Award. Julia McNamara is the president of Albertus Magnus College in New Haven. I am very pleased to rise today to recognize Julia's distinguished work on behalf of the city of New Haven and to congratulate her on this honor.

Since 1992, the Seal of the City is awarded annually, in the words of the historical society, "to the person or institution whose activities or ideas have significantly added to the quality of life, the prosperity, or the general improvement

of the region." I cannot think of a more deserving recipient than Julia McNamara. Julia has been president of Albertus Magnus for 15 years and her tenure there has seen some extraordinary changes.

Julia presided over the transition to a coeducational facility, and oversaw the initiation of the popular accelerated degree program. The accelerated degree program has allowed many working individuals to pursue degrees that would otherwise remain inaccessible. This program compliments Julia's deep commitment to education and the liberal arts.

Those who know Julia have an easy time describing both her demeanor and values. Dynamic and energetic, Julia is an engaging presence. Students and co-workers hold her in high esteem and consider her down-to-earth and, at the same time, inspirational. Many students at Albertus Magnus consider her an outstanding role-model. She is constantly encouraging students to embrace all that life has to offer, to question their beliefs and to never stop pursuing knowledge. Julia firmly believes that learning does not end outside the classroom and her deeply held belief that we are all responsible to every member of the community is evident in the community service she undertakes.

Julia's involvement in the community is an inspiration for many. She has served on a number of boards and made history in New Haven by becoming the first woman to serve on the Committee of the Proprietors of the Common and Undivided Lands, which oversees the use of the New Haven Green. She has served on the board of trustees for Yale-New Haven Hospital, on the board of directors for the 1995 Special Olympics World Games and is a member of the fundraising committee for the Greater New Haven Vision Project.

Again, it gives me great pleasure to recognize the extraordinary contributions of Julia McNamara to the people and the city of New Haven. Congratulations to her.

HAPPY ANNIVERSARY NORMA AND MAURICE TREXLER

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. POSHARD. Mr. Speaker, I rise today to recognize Maurice and Norma Jane Trexler, who celebrated their golden anniversary on August I7. Married in Mayfield, KY, the couple moved to Vandalia, IL more than 42 years ago and have resided there ever since. They have given that community a great deal in return, including a loving family and their involvement in numerous civic endeavors. I am proud to call the Trexlers my friends, and congratulate them on achieving this glorious milestone.

The Trexlers are both retired, Maurice having been with the Illinois secretary of state's office as the manager of a driver's license facility, and Norma June serving with Fidelity Federal Savings and Loan for 28 years. Now they concentrate on their large family. Their children, Charles, Robert, Kent, and Kathy, have blessed them with seven grandchildren and one great-grandchild. They also have

more time for golf, which they play as often as possible.

The Trexlers also continue to devote their extensive talents to their community. Maurice has been a Democratic precinct committeeman for more than 30 years, serving as Fayette County Democratic chairman the past 14 years. He also belongs to the Moose Lodge, Lions Club, Masonic Lodge, and the Shriners, where he has been an inspiring leader of his peers and family. Norma also contributes to the Moose Club as a leader of its women's group and has worked side by side with Maurice on many community endeavors.

Through their strong desire to serve their community, Maurice and Norma June have set an example for all the lives they have touched together. Their family has been a witness to their respect for each other and their devotion to the institution of marriage. Mr. Speaker, I believe the Trexters are an inspiration to the entire Nation, and it is an honor to represent them in the U.S. Congress.

INTRODUCTION OF H.R. 2429, THE SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM REAU-THORIZATION ACT OF 1997

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. SENSENBRENNER. Mr. Speaker, I rise today to introduce H.R. 2429, a bill to reauthorize the Small Business Technology Transfer [STTR] Program through the fiscal year 2000. I am joined on the bill by Chairman TALENT and Ranking Member LAFALCE of the Small Business Committee, Science Committee ranking member GEORGE BROWN, Chairwoman MORELLA and Ranking Member GORDON of the Technology Subcommittee, Subcommittee on Government Programs and Oversight Chairman BARTLETT and Ranking Member POSHARD, and Science Committee member TOM DAVIS.

Mr. Speaker, I would like to begin by thanking Chairman TALENT of the Small Business Committee for his efforts to ensure a smooth reauthorization process for STTR, a program over which our two Committees share jurisdiction. It has been a pleasure working with him and his committee staff.

STTR was created as a pilot program during the 1992 reauthorization of the Small Business Innovation Research [SBIR] Program. The program requires Federal agencies with extramural R&D budgets in excess of \$1 billion to set aside 0.15 percent of that budget for technology transfer from Government to small business. This set-aside provides funding for ideas, that are cooperatively researched and developed by small businesses and nonprofit research institutions, such as universities.

Five agencies currently participate in the STTR Program. They are the National Aeronautics and Space Administration, Department of Defense, National Institutes of Health, Department of Energy, and the National Science Foundation. In fiscal year 1995, the STTR Program issued a total of 260 awards, totaling over \$33 million.

STTR's authorization will expire on September 30, 1997. H.R. 2429 will extend the program's life through fiscal year 2000, the same year the authorization for SBIR expires.

STTR and SBIR have similar structures. The programs are divided into three phases. Phase I is the development stage of the idea. Awards for this phase may total up to \$100,000 in both programs. Phase II allows for further development of the most promising ideas from phase I. These awards can be as much as \$500,000 in the STTR Program, and \$750,000 in the SBIR Program. The final phase, phase III, is the commercialization of the product, or the use of that product by the Federal Government. The STTR and SBIR set-asides are not used for phase III grants.

Unlike SBIR, STTR requires the participation of a research institution in all its awards. STTR was designed to take ideas that originated in universities and laboratories, and develop them through a cooperative agreement with a small business entity. Under SBIR, universities can play a limited role in the program, but their participation is not required.

While STTR and SBIR are similar programs, they differ vastly in scale. In fiscal year 1995, SBIR made over 4,000 awards totaling over \$800 million. In fiscal year 1997, SBIR grants will total over \$1 billion. SBIR was created in 1982 to increase the participation of small, high-technology companies in Federal R&D. This was done by requiring Federal agencies with large R&D budgets to set aside 2.5 percent of their extramural research funding.

In the first 3 years of the program, STTR has awarded 784 grants totaling just over \$115 million. These relatively low totals make it impossible to accurately measure the success of the program. However, there appears to be enough anecdotal evidence that the program is working to warrant its extension for an additional 3 fiscal years. At that time, it is my hope that the Science Committee, working with the Small Business Committee, can do a thorough review of not only STTR, but also the \$1 billion SBIR Program.

HONORING CALIFORNIA HISTORY WEEK IN THE 34TH CONGRES-SIONAL DISTRICT OF FORNIA

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. TORRES. Mr. Speaker, I rise today to

honor the rich history of the Great State of California. On Tuesday, September 9, 1997, the Native Daughters of the Golden West, Rancho La Puente Parlor No. 331, will join in celebration of the anniversary of California's admission into the Union of the United States of America.

California became the 31st State of the Union on September 9, 1850, which became known In Cal as Admission Day. The purpose of the Native Daughters of the Golden West is based on the principals of love of California, devotion to the flag, veneration of the pioneers, and faith in the existence of God. This fine organization tirelessly serves to protect

and honor the cultural history of California by observing Admission Day and working to reestablish it as a State holiday by California's 150th anniversary in 2000.

In acknowledgment of the cultural, social, political, geological, and economic contributions of the Great State of California to the Nation and the world, I am proud to join with the Native Daughters of the Golden West and Californians throughout the State and proclaim September 7-13, 1997, as California History Week in the 34th Congressional District of California.

Mr. Speaker, I ask my colleagues to join me in observing Admission Day and honoring the Great State of California.

PERSONAL EXPLANATION

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. ENGEL. Mr. Speaker, I was necessarily absent during rollcall vote 366. If present, I would have voted "no" on rollcall 366.

150TH ANNIVERSARY OF BELL AF-RICAN METHODIST EPISCOPAL ZION CHURCH

HON, MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. FORBES, Mr. Speaker, I rise today in this hallowed Chamber to ask my colleagues to join me in offering praise and congratulations on the 150th anniversary of the Bell African Methodist Episcopal Zion Church, in Center Moriches, Long Island.

The humble beginnings of the Bell AME Zion Church can be traced to 1840, when a small prayer group of faithful friends gathered in the homes of family and neighbors to practice their faith. Born a slave in 1808. Abraham Perdue demonstrated the foresight that made him a successful businessman by initiating the effort to create for the local African-American community their own church.

With the help of his brother Harry and friend Harry Howard, they purchased property on what is now Railroad Avenue in Center Moriches. For the amount of \$400-a vast sum for the time-the African-American community erected the small church, began services, and the little congregation flourished, experiencing the human joys and sorrows that visit us all. They baptized their babies and married their spouses inside, and buried their loved ones in the cemetery in back.

After an original affiliation with the African Methodist Conference, in 1897 the congregation elected to join with the African Methodist Episcopal Zion Conference. In this era in its history, less than 10 years since Abraham Perdue passed away, the congregation was held together thanks to the efforts of Sister Mary E. Bell. Following her death in 1920, church members immortalized Sister Bell's lifetime good work for the Lord by naming the church the Bell AME Zion Church.

Faced with declining membership, Bell AME Zion ended weekly services in 1914 and remained closed for several years. But an invigoration of African-American emigrants from the South, seeking jobs at local farms, allowed the church to reopen its doors in 1922, and the African Methodist Conference sent Rev. William E. Wright to serve as pastor. Five years later, a board of trustees was appointed and much needed renovations and repairs were made to the church.

By 1932, the church members again chose to affiliate with the African Methodist Episcopal Zion Conference and Pastor Rev. Elliot S. Travalee began an aggressive effort to expand the congregation and church building. Ground was broken on the addition in September 1954. Since then, Bell AME Zion Church experienced phenomenal growth, as the suburbs of New York City received millions of new residents. With growth came the blessings of a new Sunday school, the purchase of the church organ that is still used today and the creation of Christian Education classes. By 1990 a building drive was started for the many needed renovations to this vital and growing church

Mr. Speaker, our churches, temples, and mosques are the true cornerstones of our communities, the bedrock on which our faith. values, and sense of purpose rest. With the faith and good work that makes their Christian community so vital, the Bell African Methodist Episcopal Zion Church has overcome times of want and despair, and today flourishes as a proud beacon of spirituality. We are proud and blessed to count this wonderful church as an important cornerstone of our Long Island community. May God continue to bless their work for another 150 years and beyond.

PAYING TRIBUTE TO NORMAN W. **JETER**

HON, JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Mr. MORAN of Kansas. Mr. Speaker, I rise today to salute the distinguished career of Norman W. Jeter of Hays, KS. Mr. Jeter came to Ellis County 60 years ago after graduating from the University of Kansas Law School. He was elected Ellis County attorney in 1938 and established his own law practice in Hays. Later, he was a member of the Hays school board and chairman of the Kansas Board of

The Jeter Law Firm grew with the county. Over the years, Mr. Jeter represented banking, oil, and agricultural interests as he saw them become the State's premier industries. The firm itself, to which Mr. Jeter's two sons Joe and Bill now belong, has produced a justice on the Kansas Supreme Court and this U.S. Congressman.

At the age of 85, Norman Jeter is the Cal Ripken of the Kansas legal profession. He still puts in at least 5 hours a day and is often the first person in the office. His dedication to his profession and his knowledge of the law are respected throughout the State of Kansas. He is the kind of elder statesman that every community needs and all too often lacks. In June, Mr. Jeter received the Distinguished Alumnus Award from his colleagues in the KU Law Society, a fitting tribute to the successful career of an extraordinary man.

When Norman Jeter boarded a train to Hays, KS, in the midst of the Great Depression, he came on the hope that Hays would be a great town someday. Indeed, Mr. Speaker, Hays grew into a thriving community, the home of an excellent State university and the commercial center of northwest Kansas. Along the way. Havs residents benefited from the sage advise of Mr. Jeter. Norman Jeter is proof that the practice of the law can still be an honorable profession and that service to one's community can still make a difference. I would ask that my colleagues join me today in paying tribute to Norman Jeter and his 60 years of service to the people of the First District.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. KIND. Mr. Speaker, 1 week in our final legislative session has already passed without a vote on campaign finance reform. Members of Congress, as promised, have begun to use parliamentary procedures to slow down the legislative process. This is unfortunate, but inevitable. Frankly, I and many other Members are increasingly frustrated with the fact that no vote has been scheduled on campaign finance reform.

A front page article in the Washington Post this Sunday highlighted Senator MITCH MCCONNELL. Senator MCCONNELL's belief is that money represents free speech. While I may disagree with the Senator's views on this issue at least we know where he stands. The vast majority of Members of Congress have not made it clear where they stand on campaign finance reform. They do not have to, because they have not had to express their vote on the floor of the House. The public is demanding action on this issue. Now is the time, Mr. Speaker, to let the public know where their Representative in Congress stands on campaign finance reform. The only way that will happen is through a vote on the floor of the House

As a sponsor of the Bipartisan Campaign Integrity Act I believe this bill offers the best vehicle to fix the current system. There are many other bills that would make the election process work better and encourage more people to vote. At this time a vote on any of these bills is better than the current inaction.

IN MEMORY OF MARK HOLTZ

HON, KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES Monday, September 8, 1997

Ms. GRANGER. Mr. Speaker, I rise today to commemorate Mark Holtz, whose untimely passing yesterday will be mourned by many throughout North Texas.

Many players, coaches, and managers wore the Texas Rangers uniform over the last 17 years, through good seasons and bad. But there was always one constant: Mark Holtz the voice of the Rangers.

He and his broadcast partner of many seasons, Eric Nadel, brightened North Texas nights year in and year out with their seamless calls of Rangers games. The bonds baseball fans throughout the region felt with him were so strong that it was as though a member of their family had joined them each night on the radio from the ballpark.

And when the Rangers struggled through a losing season, Mark's call of the game made listening to the game a pleasure in itself, even if the outcome on the field was not.

But the Rangers have been much improved over the last few years, and fittingly, the last game he worked this past May was a Rangers victory. After the game, Mark was able to sign off the broadcast with his trademark "Hello, win column!" he uttered after each win for the home team.

After that final game, Mark left the broadcast booth so that he could battle leukemia. During his courageous battle, thousands of Rangers fans signed a giant get-well card for Mark, demonstrating the deep feelings which many throughout North Texas had for him.

Mark will be missed dearly by those who had the pleasure of listening to his distinctive voice on the airwaves. As Rangers president Tom Schieffer noted, Mark "brought us joy and laughter about the game of baseball. He will be missed sorely. We are not likely to see his kind again."

ON THE DEATH OF MOTHER TERESA

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. ROEMER. Mr. Speaker, it was with great sadness that I learned Friday of the passing of one of the most remarkable women to ever grace our planet, Mother Teresa of Calcutta.

Mother Teresa dedicated her life of serving the poor, the destitute, and the most helpless among us. In so doing, she set an example for all people of the world to live by. She demonstrated that love and kindness and hope are far greater rewards than any material goals. Her selfless dedication to humanity and charity will never be forgotten. She devoted her life to those with less—the helpless and the homeless. She did not hesitate to visit a slum or leper colony. She truly lived Jesus Christ's proclamation in the bible: "What you do to the least of us you do unto me."

I feel so fortunate to have had the opportunity to hear Mother Teresa speak twice in my lifetime: once at the Congressional Prayer Breakfast in 1995 and most recently at the award ceremony where she was presented with the Congressional Gold Medal. Listening to her speak, listening to her conviction, her dedication to the poor, I truly believed I was in the presence of a saint. She was humble and modest, but strongly committed to the poor, the unborn, and the hungry.

Mother Teresa's work will carry on through the missionaries of charity which she founded, but she will be missed. I admired her greatly and pray that she, in her infinite faith, is joyfully reunited with her God.

A TRIBUTE: TO ONE OF MY DEAR-EST FRIENDS, THELMA PAULINE MILLER, MAY SHE REST IN PEACE

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Mr. POSHARD. Mr. Speaker, I would like to pay tribute to one of my dearest friends, Thelma Pauline Miller. She passed away on July 27, leaving a legacy of kindness and consideration that will be remembered by all who knew her. Thelma was not just a great friend of mine, but a friend to the entire community of Herrin, IL. Born on January 23, 1918 in Brookport, IL, Thelma was married for 43 years to Carl Miller, who served as Winston

County Sheriff. Carl preceded her in death as

did her parents, Bryan and Clara Johnson, and her sister Geraldine Burgoon.

Thelma touched many people through her devoted work to numerous causes. She was never afraid to roll up her sleeves and get the job done, contributing her time to the Business and Professional Women's Club, Win One Class, First Christian Church in Herrin, and the Veterans of Foreign Wars Auxiliary and Eagles Auxiliary. She was also active in politics, serving as a Democrat State central committeeman and as Williamson County chairwoman. Professionally, Thelma worked for the Department of Unemployment for 12 years.

Thelma will be remembered by many people whose lives she graced over the years. She is survived by a loving family, including her daughter Linda, son, John, brother Howard Eugene, five grandchildren, and two great grandchildren. May God bless her family, and I know that the spirit with which she lived her life will be with us for some time to come.

18TH & VINE DISTRICT

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1997

Ms. McCARTHY of Missouri. Mr. Speaker, I rise to acknowledge an event that I attended this weekend which exemplifies the rich heritage of the Fifth District of Missouri and demonstrates the phoenix-like results that can come from congressional investments for urban revitalization and bipartisan cooperation to improve our urban centers. That event was the opening of the historic 18th & Vine District Jazz Museum and historic Gem Theater.

Kansas City has made a significant contribution to the great American art form known as jazz. The 18th & Vine District is steeped in history, with the old Attucks School on 18th and Woodland which Charlie Parker attended, and the Street Hotel on 18th and Paseo where

all of the great players, like Josh Gibson and Rube Foster stayed. The District also includes the Shannon Building on 18th and Vine, where Joe Louis trained, and the Mutual Musicians' Foundation which is registered as a national landmark. This weekend, the area came alive with the music of jazz legends such as Clause (Fiddler) Williams and 81-year-old big band leader Jay McShann.

The 18th & Vine Project truly represents the best of American ingenuity and public-private partnership. When the project appeared to be in limbo, and public skepticism was running high, creativity came to the rescue and Federal empowerment zone funds were made available to continue this marvelous effort. Private sector commitments came from large corporations such as Sprint planning to open a call center in the district, and small business such as Winslow's BBQ agreeing to manage the Blue Room night club in the jazz museum. Further evidence of the public-private commitment can be seen in the opening of Count Basie Court Apartments, which was a collaborative effort joining the local private Citizen Housing Information Center and Black Economic Union with Federal housing development initiatives.

The Federal empowerment zone initiative is critical for directing resources to revitalize urban areas. Kansas City is maximizing this tool for economic development within our communities and neighborhoods. The congressional bipartisan tax relief package, recently signed into law by the President, included not only an expansion of the empowerment zone initiative, but also a perfect compliment—the brownfields initiative, which provides incentives to transform economically distressed areas and hazardous waste sites into thriving economic centers by providing developers and businesses with a tax credit to improve and reclaim the land.

What is happening in Kansas City is a stellar example of the way the partnership between the public and private sectors and the Federal, State, and local governments can work, and a fundamental reason that the Environmental Protection Agency chose to hold its 1997 national brownfields conference here last week. Initiatives such as the 18th & Vine District, building upon the heritage and unique qualities of that community, create jobs within the community—bolstering local welfare to work activities—and cleaner, safer, and more livable neighborhoods out of areas that were urban blight

Mr. Speaker, I ask that you join me in recognizing the efforts of the community embodied in the opening of the 18th & Vine Historic Jazz Museum and Gem Theater and acknowledging the accomplishment of this important public-private partnership. It serves as an example of successful coordination among economic development, welfare-to-work initiatives, and environmental cleanup in our great Nation.

EXPRESSING THE CONDOLENCES OF THE HOUSE IN THE DEATH OF DIANA, PRINCESS OF WALES

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES Thursday, September 4, 1997

Mrs. MINK of Hawaii. Mr. Speaker, the outpouring of emotion following the tragic death of Princess Diana is extraordinary. We were stunned at the news of her death and as the hours and days passed we realized that it was more than the loss of a famous person; it was a phenomenal feeling of personal loss that stretched across the whole world.

Here was a woman of noble birth who in a fairy tale episode became royalty and then the mother of the next King of England. People watched and were awed by her spectacular beauty and grace as she entered this rigid and seemingly immutable world. We worried that she would be smothered like the others by the ritual and the rigidity of the palace rules. Or worse, that she would lose her individuality and be stripped of her independence and humanity. Instead she demonstrated a resilience to stand her ground and unflayingly express words of understanding about the awful pain, suffering and despair so prevalent in the world at large. From her own hurt and from her giving we all learned the power of love.

Despite her own personal problems, including her failed marriage and the public abuse that she had to endure, she was able to maintain a strong loving relationship with her two sons. She exemplified this devotion to her children by trying to assure that her two sons had an understanding about the reality of life among ordinary people. She took them with her as often as she could. She tried to translate into their life experiences her own deep abiding belief that people have a responsibility to love and care for those who are ill and who are in need of help.

She ultimately lost any formal power, authority or office from which to plead the causes which she cared so deeply about. But she was not deterred. Most people would have become distraught at the loss of station and position. But not Princess Diana. I believe that it is this undauntable spirit that people admire most. Each of us wish that we could be as strong and as determined to follow our will. In adversity Princess Diana gained in strength and personal determination.

In our world of politics, public people who stand up for the unfortunate, the homeless, the poor, and the hungry are offered derision rather than praise. Women who stand up for themselves and give care to others win suspicion rather than admiration.

My heart is filled with admiration for what Princess Diana did to mobilize public opinion in support of human causes like poverty, AIDS, Hansen's disease, cancer, homelessness, and for her fight to seek an international treaty against land mines. My heart is filled with pride that this woman earned respect and affection on a scale unparalleled in our lifetime and in this century.

I hold Princess Diana in the highest personal esteem for the glory that she brought to those in our world who care for people in despair. She celebrated their efforts and gave encouragement to their commitment. Her words were directed to governments to do more, to care more and to work harder to find ways to end this misery. She venerated those who love the poor and the sick and made their work a matter of honor.

The brief life of Princess Diana teaches us that the importance of life is what we are able

to do for others.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure alors win suspicion rather than admiration.

My heart is filled with admiration for what Princess Diana did to mobilize public opinion in support of human causes like poverty, AIDS, Hansen's disease, cancer, homelessness, and for her fight to seek an international treaty against eptember 9, 1997, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 10

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on the nominations of Heidi H. Schulman, of California, and Katherine Milner Anderson, of Virginia, each to be a Member of the Board of Directors for the Corporation for Public Broadcasting, Robert L. Mallett, of Texas, to be Deputy Secretary, and W. Scott Gould, of the District of Columbia, to be an Assistant Secretary, both of the Department of Commerce, and Shella Foster Anthony, of Arkansas, to be a Federal Trade Comissioner.

SR-253

Energy and Natural Resources

To hold oversight hearings to review Forest Service organizational structure, staffing, and budget for the Alaska region.

SD-366

10:00 a.m.

Commerce, Science, and Transportation

Business meeting, to consider the nominations of Heidi H. Schulman, of California, and Katherine Milner Anderson, of Virginia, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting.

SR-253

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

10:30 a.m.

Finance

To hear and consider pending nomina-

SD-215

2:30 p.m.

Foreign Relations

To hold hearings on the nominations of Thomas J. Dodd, of the District of Columbia, to be Ambassador to the Republic of Costa Rica, Donna Jean Hrinak, of Virginia, to be Ambassador to the Republic of Bolivia, and Curtis Warren Kamman, of the District of Columbia, to be Ambassador to the Republic of Colombia.

SD-41

Select on Intelligence

To hold a closed briefing on intelligence matters.

SH-219

SEPTEMBER 11

9:00 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the implications for farmers of the recently proposed Global Tobacco settlement.

SD-10

9:30 a.m.

Energy and Natural Resources

To hold hearings on S. 660, to provide for the continuation of higher education through the conveyance of certain public lands in the State of Alaska to the University of Alaska, and S. 1092, to provide for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, Alaska, and King Cove, Alaska.

SD-36

10:00 a.m.

Foreign Relations

To hold hearings on the nominations of Susan E. Rice, of the District of Columbia, to be Assistant Secretary of State for African Affairs, Brian Dean Curran, of Florida, to be Ambassador to the Republic of Mozambique, Timberlake Foster, of California, to be Ambassador to the Islamic Republic of Mauritania, Amelia Ellen Shippy, of Washington, to be Ambassador to the Republic of Malawi, and Nancy Jo Powell, of Iowa, to be Ambassador to the Republic of Uganda.

SD-41

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

Labor and Human Resources

To hold hearings to examine the confidentiality of medical information.

SD-430

2:00 p.m.

Energy and Natural Resources

National Parks, Historic Preservation, and Recreation Subcommittee

To hold hearings to review the implementation of the Commemorative Works Act (P.L. 99-652, as amended) and the administrative and public process involved in the site selection of the World War II Memorial and the recently announced Air Force Memorial.

SEPTEMBER 12

10:00 a.m.

Governmental Affairs

To hold hearings to examine issues regarding regulatory reform.

SD-342

Judiciary

Immigration Subcommittee

To hold hearings to examine proposals to permanently extend the expiring provision of immigration law which allows religious workers to be sponsored by religious organizations in the United States.

SD-226

SEPTEMBER 15

10:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine fraud in the micro-cap securities industry.

SD-342

2:30 p.m.

Governmental Affairs

International Security, Proliferation and Federal Services Subcommittee

To hold hearings to examine proliferation in the information age.

SD-342

SEPTEMBER 16

10:00 a.m.

Armed Services

To hold hearings on the nominations of General Michael E. Ryan, USAF, to be Chief of Staff, United States Air Force, Adm. Harold W. Gehman, Jr., USN, to be Commander-in-Chief, United States Atlantic Command, and Lt. Gen. Charles E. Wilhelm, USMC, to be Commander-in-Chief, United States Southern Command and for appointment to the grade of general.

Governmental Affairs

To resume hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

Labor and Human Resources

To resume hearings to examine the implications of the recent Global Tobacco settlement.

SD-430

SR-222

SH-216

SEPTEMBER 17

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-21

Judiciary

Antitrust, Business Rights, and Competition Subcommittee To continue hearings to examine antitrust and competition issues in the telecommunications industry.

SD-226

Conferees

On H.R. 2209, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998.

S-128, Capitol

SEPTEMBER 18

9:00 a.m.

Agriculture, Nutrition, and Forestry

To resume hearings to examine the implications for farmers of the recently proposed tobacco settlement.

SD-106

10:00 a m

Foreign Relations

To hold hearings on the nominations of Wyche Fowler Jr., of Georgia, to be Ambassador to the Kingdom of Saudi Arabia, and Martin S. Indyk, of the District of Columbia, to be Assistant Secretary of State for Near Eastern Affairs.

SD-419

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

SEPTEMBER 19

10:00 a.m.

Governmental Affairs

To resume hearings to examine regulatory reform issues.

SD-342

SEPTEMBER 23

10:00 a.m.

Governmental Affairs

To resume hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

Special on Aging

To hold hearings to examine screening and treatment options for prostate cancer.

SD-628

SEPTEMBER 24

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

SEPTEMBER 25

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the comittee's special investigation on campaign financing.

SH-216

Labor and Human Resources

To resume hearings to examine the confidentiality of medical information.

SD-430

SEPTEMBER 26

9:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to review the operation of the Treasury Department's Office of Inspector General.

SD-342

SEPTEMBER 29

9:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To resume hearings to review the operation of the Treasury Department's Office of Inspector General.

SD-342

SEPTEMBER 30

9:30 a.m.

Commerce, Science, and Transportation
To hold hearings on the nominations of
Michael K. Powell, of Virginia, Harold
W. Furchtgott-Roth, of the District of
Columbia, and Gloria Tristani (pending

receipt by the Senate), each to be a Member of the Federal Communications Commission.

Sh

10:00 a.m.

Governmental Affairs

To resume hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

OCTOBER 1

9:00 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine the health risks of 1950's atomic tests.

SD-192

0.30 a m

Commerce, Science, and Transportation
To hold hearings on the nomination of
William E. Kennard, of California, to
be a Member of the Federal Commu-

be a Member of the Federal Communications Commission.

SR-253

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

OCTOBER 2

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

OCTOBER 6

10:00 a.m.

Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine traditional frauds perpetrated over the Internet.

SD-342

OCTOBER 7

10:00 a.m.

Governmental Affairs

To resume hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

OCTOBER 8

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing

SH-216

OCTOBER 9

10:00 a.m.

Governmental Affairs

To continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing.

SH-216

POSTPONEMENTS

SEPTEMBER 16

10:00 a.m.

Energy and Natural Resources

To hold oversight hearings to review Federal outdoor recreation policy.

SD-366